

PUBLIC SCHOOL OPEN ENROLLMENT TECHNICAL ASSISTANCE WORKSHOPS

Technical Overview of Public School Open Enrollment

Wisconsin Department of Public Instruction

January 1999

(dates revised October 1999)

RECEIVING AND HANDLING APPLICATIONS

February 7-18

New Forms

- ✓ 4-part carbonless
- ✓ no longer includes sections for approval/denial
- ✓ clearer instructions re: resident & nonresident districts
- ✓ parents may limit application to specific school or program
- ✓ separate section for applying for K4, preK & ECE
- ✓ request for student records included on resident district copy
- ✓ space to indicate date/time received in nonresident district

Receiving Applications

- ✓ Note date and time received on all copies
- ✓ Separate form required for each student (check for siblings)
- ✓ Review for eligibility
 - *Return early and late applications*
 - *Return applications from out of state*
 - *Review eligibility for K4, preschool & daycare*
- ✓ Review for completeness & accuracy
 - *Name, address, grade*
 - *Resident and non-resident districts*
 - *Signature(s)*
 - *Transportation reimbursement application form, if indicated*

Special Situation

- ✓ Prekindergarten and daycare programs:
 - *student may participate only if resident school district offers similar program for which student is eligible*
- ✓ 4-year-old kindergarten:
 - *student may participate in a K4 program regardless of whether the resident district offers a similar program*
 - *K4 is program that has at least 437 hours of direct instruction (may include 87.5 hours of outreach) and students are eligible to be counted for state aid and revenue limit membership*

Special Situation

- ✓ Early childhood education (special education)
 - *student may participate in accordance with IEP*
 - *a student who will be turning three after the beginning of the school year and who will need early childhood education may apply for open enrollment in February to begin early childhood education as soon as the student is eligible for the program.*

Special Situation

- ✓ Family moving--wants student to remain in current district
 - *Resident district = school district in which the student will reside in the 2000-2001 school year*
 - *If the family moves to a different school district than the one indicated, open enrollment application is void*
 - *Senior rule applies--open enrollment not needed unless there is doubt about achieving senior status*

Special Situation

- ✓ Family moving--wants to apply from “new” resident district to “new” nonresident district
 - *Will show three different districts on application form:*
 - Resident district = school district in which the student will reside in the 2000-2001 school year
 - Nonresident district = school district the student is applying to attend
 - District in which student resides in February 20009 = current resident district
 - *If the family moves to a different school district than the one indicated--or doesn't move at all-- open enrollment application is void*

Special Situation

- ✓ Parents are divorced and have joint custody
 - *Both parents must sign form unless one parent has been granted authority to make “significant decisions”*
 - *If physical custody is split 50/50, parents should designate one district as resident district--need only apply for open enrollment if attendance at 3rd district is desired*

Special Situation

- ✓ Student currently enrolled in private school or home-based program
 - *Student may apply for full-time open enrollment*
 - *Both nonresident and resident districts act in same manner as for all other students*
 - *Student must enroll in resident district only if the application is approved by both districts and only if the parent indicates the student will attend*

COMMUNICATIONS BETWEEN AND AMONG SCHOOL DISTRICTS AND THE DPI

February 21 - April 7

Nonresident District - Forward Copies of Applications

- ✓ On February 22, nonresident district sends a copy of each application form to the resident school district (the canary copy)
 - *Fill out the back of the canary copy, which is a request for expulsion and special education records*
- ✓ On February 22, nonresident district sends to the DPI:
 - *A copy of each application form (the pink copy)*
 - *The original of the transportation reimbursement application, where applicable*

Resident District - Provide Records

- ✓ Within 5 working days (or as soon as possible) the resident district provides copies of the following records to the nonresident district:
 - *Expulsion records*
 - *Special education records*
- ✓ No other records are to be provided at this time

Expulsion Records

- *A copy of any expulsion order involving the student for the current or preceding 2 years, including a written explanation of the reason for expulsion and the length of the term of the expulsion*
- *Information about any pending disciplinary proceeding that could lead to expulsion, including a written explanation of the reasons for the pending disciplinary proceeding and the possible outcomes*

Special Education Records

- *Information about whether the student has been referred for an IEP evaluation but has not yet been evaluated.*
- *A copy of the student's current IEP.*
- *If the student is no longer receiving special education in the school district but without a finding that special education is no longer needed, provide a copy of the most recent IEP or M-team evaluation. This most commonly occurs if the student is currently enrolled in a private school or home-based program.*

Nonresident District - Provide Estimates

- ✓ Based on the program and services required in the IEP, the nonresident district must provide to the resident district an estimate of the tuition cost of the special education. This notification is to be provided on or before March 15.
 - *This estimate must be provided even if the nonresident district will deny the application.*
 - *If no estimate is provided, the nonresident district may be required to accept the regular education transfer amount in lieu of tuition.*

Notes on Tuition Estimates

- ✓ The tuition amount is either:
 - *Full tuition (regular and special education) calculated according to statutes using the state tuition calculation form, or*
 - *An amount agreed on by the two school districts (one alternative is to use the regular education open enrollment amount in place of the regular education tuition cost).*
- ✓ No adjustment in state aids will be made by the DPI for students receiving special education.

ACTING ON APPLICATIONS

February 21 - April 7

All applications must be approved by both the nonresident and resident school districts unless the student is not eligible or unless the application is denied for a reason permitted by statute and in accordance with each school board's policy and administrative procedures

Nonresident School District

- ✓ Space
- ✓ Expulsion
- ✓ Special Education Space/Availability
- ✓ Special Education Referral

Space

- ✓ The nonresident school district may deny a student's application if space is not available in the school, program, class or grade that the student would attend.
- ✓ The nonresident district may consider class size limits, pupil-teacher ratios, tuition agreements with other school districts, and enrollment projections.

Space - Emphasis on Process

- ✓ Although the school district's policy may be stated in general terms ("will consider space..."), the school district should adopt administrative procedures that specifically explain **how** the school district will consider space.
- ✓ In an appeal, the lack of a process to determine whether there is space may result in a finding that the decision was arbitrary.

Space - Examples

✓ Example 1:

- *A school district might decide to determine space availability on a school basis to identify which schools in the district have space and which do not. One district appointed a committee at each grade level (elementary, middle and high school) to develop criteria and make recommendations to the board.*

Space - Examples

✓ Example 2:

- *Another school district might decide to identify specific grades in which space is either available or not available. In some cases, all of a specific grade might be “full” while other grades would have space. In other cases, there may be openings in one grade at one school and in another grade at a different school. One school district requested each principal to evaluate which grades in her/his building had space and which did not.*

Space - Examples

✓ Example 3:

- *A school district may decide to use class size numbers or pupil-teacher ratios to determine space. One school district used a long-standing policy that specified a range of desirable class sizes at each grade and a procedure to follow if enrollment exceeded the maximum of this range. In this district, the mid-point of the range was then identified as the number above which open enrollment applications would not be accepted.*

Space - Examples

✓ Example 4:

- *A district may use enrollment projections to determine whether it has space. One district that has had very rapid growth used a report of an independent study that had been prepared for the school board as a planning tool to determine that it could not accept open enrollment students.*
- *However, use of long-range projections alone as a basis to deny an application is not recommended.*

Space - Examples

✓ Example 5:

- *If a district has a goal to reduce class sizes, the district may deny students based on that goal, as long as there is reason to believe that it is a genuine goal and not one created simply in order to deny open enrollment students. Evidence of a genuine goal might include:*
 - a school-board adopted goal that either predates the open enrollment law and/or is applicable to the district or a specific school in the district regardless of open enrollment
 - evidence of progress toward meeting the goal--for example, implementation of the smaller class size in one or more grades and a plan for reducing class size in further grades.

Space -

A Reasonable Conclusion

- ✓ Be consistent. *Do not set class size limits that are not in line with past or current district practices or with stated goals toward which the district is working.*
- ✓ Be fair. *Grant only those preferences allowed by statute. Do not make exceptions for one student unless you are prepared to make the same exceptions for all students in similar circumstances.*
- ✓ Be reasonable. *Base your decisions on a process and criteria that you can defend.*

Space - Application is to the District

- ✓ If the district does not have space in the specific school or program requested, but has space for the student in another appropriate school or program, the district should approve the application and offer the alternative placement, unless the application indicates that the student is to be considered only for the requested school or program

Expulsion

- ✓ The nonresident school district may deny enrollment to a student who is currently serving an expulsion (for any reason) that will extend into the following school year.

Expulsion

- ✓ The nonresident school district may deny open enrollment to a student who has been expelled during the current or preceding two years for any of the following reasons...
 - *making or conveying a threat to destroy school property by means of explosives*
 - *engaging in conduct that endangers the health, safety or property of others at school or under school supervision, or conduct away from school that endangers the health, safety or property of anyone at school or of a school authority*
 - *possessing a dangerous weapon at school or under supervision of a school authority*

- ... or may deny a student who is the subject of a pending disciplinary proceeding for any of the previously stated reasons.
- ✓ If an expulsion or disciplinary proceeding based on the specified conduct takes place after the nonresident school district has accepted a student, the nonresident school district may deny the student at any time prior to the beginning of school.
- ✓ The district may not deny the application for any other disciplinary reason.

Special Education Space/Availability

- ✓ A nonresident school district may deny a student's application if:
 - the special education [program] or related services *required by the student's IEP* are not available in the nonresident district, or
 - space is not available in the special education [program] *required by the student's IEP*
- ✓ The key to this provision is “*required by the student's IEP*”

Special Education - Space

- ✓ As with regular education space issues, there should be a process to determine whether there is space in the special education “program” for the student. This process must include consideration of the specific special education and related services required by the student’s IEP.
- ✓ The district must make each decision individually. A school district that routinely denies all applications from students who need special education will be vulnerable on appeal.

Special Education Provided by CCDEBs

- ✓ If a nonresident school district participates in a CCDEB for the special education that the student needs, the nonresident school district must contact the CCDEB to determine whether space is available.

Special Education - Availability

- ✓ All decisions must be based on the special education and related services described in the student's IEP. Do not make assumptions about which “program” the student requires based simply on the identified disability.

Special Education - “Referred But Not Yet Evaluated”

- ✓ If a student has been referred by his/her resident district to determine if the student needs special education but has not yet been evaluated, the nonresident school district may deny the application.
- ✓ “Not yet evaluated” means that:
 - *no finding about whether the student needs special education has yet been made, or*
 - *the student has been found to need special education but an IEP has not yet been developed.*

Conditional Acceptances Not Permitted

- ✓ “Conditional” acceptances based on the subsequent completion of the evaluation and development of an IEP should not be made:
 - *If it is possible for the resident school district to complete the evaluation in time for both school districts to act on the application, the district should attempt to do so.*
 - *If this is not possible, the nonresident school district may accept the application anyway or may deny the application and suggest that the parent reapply the following year after the evaluation has been completed.*

Students from Private Schools and Home-Based Programs

- ✓ If an applicant is currently enrolled in a private school or home-based program and has previously received special education or been identified as needing special education, it is recommended that the student's application be handled as if the student had been "referred but not yet evaluated"--unless there is or has been a finding by an IEP team that the student no longer needs special education.
- ✓ It is not recommended that a decision be made based on an outdated IEP.

Resident School District

- ✓ Percent limit
- ✓ Undue financial burden

Percent Limit

- ✓ The resident district may limit the total number of students who attend other districts under open enrollment to 5% of its membership for the 2000-2001 school year.
- ✓ The 5% includes students already attending other districts under open enrollment as well as new students who apply to attend under open enrollment.

Percent Limit - Calculations

- ✓ September 17, 1999, membership
x .05
= total number of students who must be
permitted to transfer out (may round up or
down)

- ✓ Total number who must be permitted to transfer out
- students attending under OE in 1999-00
= number of new students who must be
permitted to transfer out

Undue Financial Burden

- ✓ The resident school district may deny a student's transfer if the tuition cost of the student's special education program imposes an undue financial burden on the resident school district.

Preferences & Random Selection

Preferences And Random Selection

- ✓ If, in the nonresident school district, there are more applications than there are spaces, or
- ✓ If, in the resident school district, more students have applied to leave than the district will allow under the percent limitation:
 - *the school district must determine which students to accept on a random basis, except that the district must give preference to students who are already attending school in the nonresident school district and to siblings of those students.*

Preferences

- ✓ The preference is not a guarantee, although:
 - Either a resident district or a nonresident district *may choose* to guarantee that continuing students and/or siblings will be approved for transfer, but if the district elects to do so, it must do so consistently.
- ✓ Sibling includes step-siblings who reside in the same household.

Preferences

- ✓ If, in the random selection process, one student from a family is chosen, the school district must give preference (again, not a guarantee) to the remaining siblings in the family who applied at the same time. Some districts chose to draw on a “family” basis to avoid giving larger families better “odds”; there does not appear to be any statutory prohibition of this type of drawing.

Random Selection

- ✓ It is recommended that the school district establish an administrative procedure specifying how the random selection process is to be carried out. There are no specific requirements in statute or rule for conducting the random selection, but it is highly recommended that it be conducted in front of one or more “neutral” witnesses.

Random Selection

- ✓ If the random selection is carried out publicly (for example, at a school board meeting), care should be taken to maintain confidentiality of the applicants.
- ✓ The random selection process must determine which students will be permitted to attend (a positive selection) rather than the students who will be denied (a negative selection).

Special Provisions that Apply to Chapter 220 School Districts

- ✓ Milwaukee & participating suburbs
- ✓ Beloit
- ✓ Madison
- ✓ Racine
- ✓ Wausau

Racial Imbalance

- ✓ A school district that has an integration program that is eligible for chapter 220 funding must deny any transfer into the district if that transfer would increase racial imbalance in the district.
- ✓ The school board must develop policies specifying how it will determine whether the transfers will “increase racial imbalance.”

Milwaukee

- ✓ In 1998-99 denied all applications for nonminority students to transfer out.
- ✓ The DPI overturned the denials on the basis that Milwaukee had not made a determination about whether the transfers would *increase* racial imbalance in the district.
- ✓ Milwaukee has appealed this decision and it is currently in litigation.

Suburban Chapter 220 Districts

- ✓ Must act on all chapter 220 applications prior to acting on open enrollment applications.
- ✓ Chapter 220 spaces are determined by contract; open enrollment spaces are determined by space availability. Participation in chapter 220 is not an automatic reason for denying open enrollment applications.
- ✓ A suburban school district may elect to fill all of its available spaces with chapter 220 students; or it may elect to approve open enrollment applications after it has accepted all of the chapter 220 applications that it has contracted for.

Madison

- ✓ Specified that a transfer may not
 - increase the minority population by more than .04% in the district as a whole
 - increase the minority population by more than .5% in any particular school
 - increase the minority population by any percent in schools in which the minority population already exceeds 40%

NOTIFICATIONS

April 7, 2000

May 12, 2000

June 9, 2000

June 30, 2000

Approval/Denial

- ✓ The nonresident school district must notify the parent of approval or denial of the application by a notice postmarked no later than April 7, 2000. *An untimely notice of denial is considered an approval.*
- ✓ The resident school district must notify the parent if the application is denied; the notice must be postmarked no later than April 7, 2000. The resident school district is not required to notify the parent if the application is approved, but it may do so.

Denials

- ✓ It is highly recommended that all denials be mailed by certified mail--return receipt requested.
- ✓ If the application is denied, the notice of denial must:
 - State the reason(s) for the denial.
 - Inform the parents that the denial may be appealed to the DPI within 30 days after receipt of the denial.

Approvals

- ✓ It is suggested that the notice of approval inform the parent that both districts may act on the application and that approval of one district does not indicate approval of the other.

Notice of Placement

- ✓ If the nonresident school district approves the application, the district must notify the parent of the school or program to which the student is assigned, by a notice postmarked no later than May 12, 2000.
- ✓ It is recommended that the notice of placement clearly inform the parent of the parent's responsibility to notify the school district by June 9, 2000, of whether the student will attend the nonresident district; and that failure to provide this notification will deny the student the opportunity to attend.

Intent to Attend

- ✓ No later than June 9, 2000, parents of students whose applications are approved must notify the nonresident school district whether the student will attend the nonresident district in the following school year.
- ✓ By June 30, 2000, the nonresident school district must notify the resident school district(s) of the names of the students who will attend the nonresident school district in the following school year, including students already attending under open enrollment who will continue to attend the following school year.
- ✓ A copy of this notice should be sent to the DPI.

APPEALS

February to July

Appeal of Denial

- ✓ Parents may appeal denials of their applications within 30 days of receipt of the notice of denial.
- ✓ The department is required to uphold the school district's decision unless it finds that the decision was arbitrary or unreasonable.
- ✓ The school district will be requested to submit the record of the decision. Failure to provide adequate information about the decision will result in a finding that the decision was arbitrary.
- ✓ Either or both parties may submit a brief.

THE OPEN ENROLLED STUDENT

throughout the school year

Transportation

Transportation

- ✓ The statute specifies that parents are responsible for transportation, except:
 - Either the resident or nonresident school district may provide transportation, and
 - If the student is receiving special education and transportation is required by the student's IEP, the nonresident school district must provide the transportation. (The cost of the transportation is billed back to the resident school district as part of the tuition cost.)

Transportation by School Districts

- ✓ The nonresident district *may not* provide any transportation within the boundaries of the student's resident district (except for special education students as indicated previously). This is true even if the nonresident district's regular bus route crosses into the resident district and goes past the student's home.

Transportation by School Districts

- ✓ Either district may provide transportation in any manner currently permitted by statute, including:
 - Providing the transportation at no cost to the parents. (Only the resident district may claim categorical aid for such transportation.)
 - Providing the transportation and charging the parents.
 - Contracting with the parent to provide the transportation, that is, paying the parent for the cost of providing the transportation.

Special Situation

- ✓ Some parents have contracted directly with bus companies to provide transportation on a regular bus route. There appears to be no statutory prohibition, but school districts are advised to check with their insurance carriers about permitting this practice.

Transportation Cost Reimbursement

- ✓ Parents of children who are eligible for free or reduced-price lunches under the federal school lunch program may apply to the Department for reimbursement of transportation costs.
- ✓ New applicants should apply for reimbursement at the same time they apply for open enrollment. School districts should forward applications for this reimbursement to the DPI when it sends copies of the open enrollment applications on February 20, 2000.

Transportation Cost Reimbursement

- ✓ Students who have been attending under open enrollment and who were previously receiving transportation reimbursement will have claim forms sent to them.
- ✓ Students who have been attending under open enrollment and who were not previously eligible may apply at any time; however, only applications received by April 1 of each year will be guaranteed reimbursement for that year should the appropriation need to be prorated.

Transportation Cost Reimbursement

- ✓ Parents will submit claims for reimbursement directly to the DPI at the end of each school semester.
- ✓ Parents will be reimbursed the lesser of:
 - *the cost of transportation (19 cents per mile for automobile transportation, or the actual cost of other transportation , such as public transportation or school district-provided transportation for which the parent was charged); or*
 - *three times the state average transportation cost per member (\$986.22 for the 1998-99 school year).*
- ✓ Questions about transportation reimbursement should be referred to the DPI.

Rights and Responsibilities

Open enrollment students have the same rights and responsibilities as resident students.

Truancy

- ✓ The nonresident school district is responsible for initiating truancy proceedings when necessary.
- ✓ If a student fails to show up to school in the nonresident school district, the nonresident district should contact the resident district to determine if the student is attending school there. If not, it is to be assumed that the student still plans to attend the nonresident district and truancy proceedings should be commenced when appropriate.

Other Discipline Issues

- ✓ Once a student is attending a nonresident district, the student is to be treated as any resident student with respect to discipline. The student may be disciplined, suspended or expelled subject to school board policies. *The student may not be required to return to the resident school district.*

Extracurricular Activities

- ✓ Open enrollment students must be permitted to participate in extracurricular activities on the same basis as resident students.

Interscholastic Athletics

- ✓ The WIAA permits open enrollment students to participate in WIAA sports without any waiting period.
- ✓ However, if a student begins school in a nonresident district under open enrollment and returns to the resident school district during the school year, the student is ineligible to participate in interscholastic athletics for the remainder of the school year.
- ✓ Coaches of WIAA sports should make themselves familiar with WIAA rules concerning participation of open enrollment students.

Residency Issues

The Thayer Rule

- ✓ A student is a resident of the school district in which he or she lives--generally defined as where the student sleeps at night.
- ✓ Exception: A student who lives in a district other than his/her parent's district for the purpose of attending school in that district is not a resident of that district, but remains a resident of his/her parent's/guardian's district.
- ✓ The school district is responsible for determining residency.

Guardianship

- ✓ A student's residency is not determined by who the student lives with or by this person's relationship to the student. Legal guardianship is not required for a student to be a resident, nor does legal guardianship granted solely to establish residency for school purposes negate the Thayer Rule.

Custody

- ✓ If a student's parents are divorced, the student is a resident of the district in which the student lives more than 50% of the time.
- ✓ If physical custody is split equally, so that the student lives 50% of the time with each parent, the parents should designate one school district as the resident school district. Generally, open enrollment should not be required, unless the student wishes to attend a third district.

Student Moves

- ✓ Beginning July 1, 1998, if a student is a resident of the school district he/she is attending at the beginning of the school year and moves out of the district during the school year, the student must be permitted to complete the school year in that district.
- ✓ The nonresident district continues to count the student for state aid and membership purposes for the remainder of the school year.

Student Moves

- ✓ If the student is receiving special education, the nonresident district must continue to provide the special education; however, the nonresident district is not required to provide any transportation outside the boundaries of the school district. The resident and nonresident district should make an arrangement to provide transportation. (This is the only responsibility that the resident school district has for the student for the remainder of the year.)

Student Moves

- ✓ Again, it is the responsibility of the school district to determine residency. If the district determines that the student was not a resident of the district at the beginning of the school year (i.e. was “residing” in the district solely for the purpose of attending school in the district”), the district may determine that this provision does not apply.

Student Moves

- ✓ If the student wishes to attend the school district the following school year, the student must apply for open enrollment.
- ✓ If the student did not apply during the February application period (for ex., if the move took place after February) the student may attend the nonresident district only if the parent pays tuition.
- ✓ The student may apply for open enrollment in anticipation of a move, but the “new” resident district *must* be indicated on the form.

Student Moves after Open Enrollment

- ✓ If a student who is currently enrolled in a nonresident school district subsequently moves into the nonresident school district, open enrollment ceases because the student is now attending the district in which he/she resides.
- ✓ If a student who is currently attending on nonresident school under open enrollment moves to a different resident school district, the student may continue to attend school in the nonresident school district without reapplying.

Reapplication and Attendance in Subsequent Years

Reapplication

- ✓ A nonresident school district may require each student to reapply one time--and one time only--at the beginning of middle school, junior high school or high school. The grade level at which reapplication is required is at the discretion of the school district. *The resident school district does not act on these re-applications.*
- ✓ Except as indicated above, once a student is open enrolled into a nonresident district, the student may continue to attend the nonresident district and may not be required to reapply.

Attendance in Subsequent Years

- ✓ The nonresident district may wish to establish a procedure for open enrollment students to notify the district whether the student intends to continue attendance in the following school year.

Special Education

Responsibility for FAPE

- ✓ The nonresident school district is responsible for providing a free appropriate public education (FAPE) for an open enrolled student with a disability. This includes ensuring the child's special education and related services:
 - *are provided at public expense (no cost to the child's parents) and under public supervision and direction;*
 - *meet the standards of the DPI*
 - *include an appropriate preschool, elementary or secondary school education; and*
 - *are provided in conformity with an IEP.*

Responsibility for Payment of Special Education Costs

- ✓ Responsibility for FAPE does not mean responsibility for payment of the special education. The resident school district is required to pay tuition to the nonresident school district for its resident students who receive special education from the nonresident school district.

Procedural Safeguards

- ✓ The nonresident school district is responsible to ensure that procedural safeguards are available to the child and the child's parents, including:
 - *providing access to educational records*
 - *ensuring that parents may obtain independent educational evaluations*
 - *assigning a surrogate to act as the parent; when required*
 - *providing parents the opportunity to use mediation*
 - *providing parents prior written notice, when required*
 - *providing parents notice of the procedural safeguards, when required*
 - *observing requirements relating to placement during the pendency of due process proceedings*
 - *implementing discipline procedures consistent with federal law*

Parties to Due Process

- ✓ While the child is attending the nonresident school district, the nonresident district is a party to the due process hearing and subsequent appeals.

Referral for Evaluation

- ✓ A referral for evaluation of a suspected disability may be made to either the resident or nonresident school district. If the referral is made to the resident school district must provide the name of the child and related information to the nonresident district, and vice versa.

Newly-Developed or Revised IEPs

- ✓ If a student is newly-identified as needing special education after enrolling in a nonresident district, the nonresident school district is responsible to conduct the evaluation, develop an IEP and provide an educational placement.
- ✓ The IEP for an open enrolled student is to be developed by the nonresident school district ‘in collaboration with’ the resident school district. Although collaboration may be accomplished in a variety of ways, it is recommended that the resident school district have a representative on the IEP team.

Special Education Unavailable After Enrollment

- ✓ Once an IEP is developed (or revised), the nonresident school district must make a determination about whether the special education and related services are available in the district or whether there is space.
 - *If the special education and related services are available and there is space in the program the student needs, the nonresident school district must notify the resident school district of the tuition cost.*
 - *If the special education is not available or if space is not available, the nonresident district may require the student to return to the resident school district.*

Undue Financial Burden After Enrollment

- ✓ If the tuition cost of the special education program required by the new or revised IEP imposes an “undue financial burden,” the resident district may require the student to return to the resident district.

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OPEN ENROLLMENT WEB SITE
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